

CBABC
ANNUAL
REPORT
2018/19



Mission

To improve the law

To improve the administration of justice

To improve and promote access to justice

To promote equality, diversity and inclusiveness in the legal profession and the justice system

To improve and promote the knowledge, skills, ethical standards and well-being of members of the legal profession

To provide opportunities for members to connect and contribute to the legal community

To represent the legal profession provincially, nationally and internationally

To promote the interests of the members of the CBA

A Year In Review

It was an honour and highlight of my nearly three-decade-long legal career to have been your 2018-2019 CBABC President.

I will let the pages that follow document the meaningful work we achieved this year – a CBABC five year Strategic Plan; a substantive Governance Review; the advocacy achievements; the CBA West Conference in Penticton; the important discussions on Indigenous experiences, innovation in our profession, equality and diversity, and access to justice.

As I reflect on my twelve fleeting months, I want to share with you the impact this presidential experience had on me.

First and foremost, I am struck by how much, over these nearly thirty years, I personally have benefitted from my membership and involvement in CBABC as a woman of colour. Not only did I learn new skills and hone my craft as a lawyer, I grew as a professional and as an individual. This was possible because of the role CBABC plays as an outstanding and leading organization in BC's legal profession. With our "big tent" approach of inviting and engaging BC law students, lawyers, judges and members of our diverse communities, CBABC demonstrates our never-ending advocacy and support for meaningful legal aid in this province, efforts to further the truth of Indigenous history, and commitment to equality and diversity.

CBABC is a vehicle for leadership. It was my vehicle for leadership. It is an organization that intentionally works – brick by brick and ceiling tile by ceiling tile – to remove brick walls and glass ceilings. When other opportunities for leadership were closed to me, CBABC supported me, taught me, showed me, and encouraged me to lead. A colleague first saw the *Advocate* issue announcing my CBABC presidency at a friend's home, a law professor who wanted to share with her students this rare occasion in the 21st century of seeing a woman of colour on a Canadian legal publication. I too am struck by the rarity of opportunity and advancement for leadership for diverse persons.

While there has been and continues to be positive change, there is more work to be done and I am proud of our beloved Association – because we set the example and encourage others to follow.

It is with deep gratitude that I thank CBABC staff, executive committee and volunteers for my most memorable year as president. We have much to be proud of and to celebrate.

Merci beaucoup.



Margaret



Delivering Exceptional Member Experiences

CBABC Member Services creates and delivers exceptional member experiences through our 76 Sections and Professional Development programming. Here are just a few highlights from the 2018-19 year.

SECTIONS HIGHLIGHTS

WLF Mentoring Program

The CBABC Women Lawyers Forum (WLF) Mentoring Program facilitates mentoring relationships for women in the legal profession and is a significant way for women lawyers to support and celebrate each other in the practice of law. This year, 89 mentors were paired with 89 mentees and three additional matches were formed among peers. The WLF hosted several events including *Hot Tips from Top Mentors* and *Getting Real in Your Mentoring Conversations*.

Privacy Law Section Conference

The CBABC Privacy Law Section hosted a much anticipated full-day conference in April 2019. Topics included Big Data and Privacy; Public Bodies and Privacy Issues; Legalization of Marijuana and Privacy Impacts; and Significant Developments in Privacy Law at Home and Abroad.

Criminal Justice Vancouver Dinner

The guest of honour for this June 2019 social event was American criminal defense attorney, David Rudolf, who conveyed his passion about fighting for the individual against the power of the government.

Welcoming a New Section

The new Workplace Investigations Section is the first of its kind in Canada. The Section seeks to improve the quality of workplace investigations by providing meaningful opportunities for lawyers to learn and discuss changes in relevant legislation, case law updates and best practices.

Sections
by the Numbers

307
Meetings

61%
of meetings
offered
Remote Access

329
CPD hours

44
Social Events

9789
attendees at
Section Meetings
or Events

PROFESSIONAL DEVELOPMENT HIGHLIGHTS

Rural Education for Lawyers – 3-part series

With support from the Law Foundation of BC, this webinar series focused on building the skills needed to improve and enhance a rural practice. More than 200 lawyers learned about common ethical situations, how to maximize counsel and court time within the Assize System, and ways of managing client expectations while maintaining ethical obligations.

Access to Justice – Gillian Hadfield

CBABC partnered with various organizations to invite Professor Gillian Hadfield to present to a sold-out crowd of more than 150 on how to make law more accessible, effective and capable of fulfilling its role in balancing innovation, growth and fairness.

Truth and Reconciliation Events

Building on the CBA’s advocacy in response to the Truth and Reconciliation Commission’s Calls to Action, CBABC hosted four professional development events: Incorporating the Calls to Action in your Organization’s Business Plan; Indigenous Peoples and Business: Joining Forces in an Empowered Economy; Truth & Reconciliation: Indigenous Rights and Title; and the Aboriginal Lawyers Forum Annual Retreat.

CBABC Section and Professional Development events are delivered successfully due to the tireless hours and collaborative efforts of CBABC volunteers and stakeholders.

We extend our sincere gratitude to all of those who planned, supported, and attended.

PD

by the Numbers

30

Seminars,
Webinars,
& Conferences

40%

of PD Events
offered
Remote Access

86.5

CPD hours

8

Collaborations
with Local, County,
& Affiliate Bar
Associations

1426

attendees
at PD Events

Advocating for You

Our members develop and decide CBABC policy and law reform positions while our leaders engage with representatives from the provincial government, the Law Society of British Columbia, the courts and justice system stakeholders.

An Agenda for Justice

In September 2018, CBABC released *An Agenda for Justice – Platform Updates 2018* to update our 2017 position paper. It acknowledged increased government investment in Legal Aid for family law services, while outlining areas still lacking support including Indigenous justice, improvements to the *BC Mental Health Act*, Court Services staffing, and the establishment of a Unified Family Court in BC. We also set out CBABC's position in response to the emerging issues of minor injury caps and the expansion of the Civil Resolution Tribunal's jurisdiction.

Legal Aid

A leading priority for CBABC is advocacy for increased funding of the legal aid system, particularly for family law services. CBABC advocated for a funding model to address the ongoing issues of eligibility, scope of coverage, and the tariff. These issues were front and centre of the CBABC Submissions to the Standing Committee on Finance & Government Services in September and June.

CBABC's Access to Justice Committee and SOGIC made submissions to the External Review of Legal Aid Service Delivery in BC in November. CBABC provided support to the Association of Legal Aid Lawyers ("ALL") in their leadership and advocacy. We were gratified to see some progress in February with additional funding announced for local clinics, and in March, when the government announced an interim agreement with ALL.

Judicial Compensation Commission

CBABC was proud to make submissions to this triannual commission and called for Provincial Court Judges and Judicial Justices to receive fair and reasonable compensation in order to uphold, preserve and protect the independence of the judiciary in British Columbia.

Law and Policy Reform

Through Sections and Committees, CBABC members made submissions on:

- Privacy and freedom of expression in relation to Human Rights complaints files,
- Protection of child workers in the *Employment Standards Act*,
- Insurance law issues for strata corporations, and
- the *Land Owner Transparency Act* White Paper.

In March, CBABC was pleased to see the government's adoption of the Ombudsperson's Report on the rights of involuntary patients under the *Mental Health Act* that incorporated many of the CBABC's recommendations made in 2017.

Alternative Legal Service Providers

When the Law Society issued its Consultation Paper on Family Law Service Providers, both the Access to Justice Committee and Family Law Working Group developed submissions in response. Both groups agreed that further consultation and examination was needed before implementing any regulation of new classes of professionals. At the Law Society AGM, members adopted a resolution effectively postponing implementation until further consultation and consideration occurred.



Taking Action on Reconciliation

On September 29, 2018, Provincial Council accepted the CBABC Truth & Reconciliation Working Group's Final Report, which established a *Reconciliation Action and Implementation Plan* for our response to the Truth & Reconciliation Commission's Calls to Action. The following highlights our progress towards CBABC's goals in 2018-19.

Professional Development & Events for Members

Furthering our Journey of Reconciliation – From Cowichan to Cape Scott

Lawyers in the mid and north of Vancouver Island learned of the history, experiences and culture of the Chemainus First Nation as shared by Elder George Harris Sr.

Incorporating the Calls to Action in your Organization's Business Plan | Webinar

Held in partnership with the Ontario Bar Association, this February webinar featured BC's Karey Brooks of JFK Law addressing how lawyers could contribute meaningfully to reconciliation within their workplaces.

Indigenous Peoples & Business: Joining Forces in an Empowered Economy | Victoria

Merle Alexander and Tamara Napoleon of Miller Titerle reviewed the duty to consult, tax restructuring, procurement, impact benefits agreements, do's and don'ts of cultural awareness, and other topics.

KAIROS Blanket Exercise | CBA West Conference, Penticton

Ardith Walkem and Halie Bruce of Cedar & Sage Law and Andrea Hilland of the Law Society facilitated this 90-minute experiential session adapted for a legally-trained audience.

Indigenous Rights & Title | Webinar

Elin Sigurdson of Mandell Pinder and Christopher Devlin of DGW Law presented a summary of colonial historical policies, legal interpretations of aboriginal title, and indigenous law sources.

Supportive Relationships between Indigenous and Pan Asian Communities in BC | Vancouver

The Equality & Diversity Committee in partnership with the Federation of Asian Canadian Lawyers facilitated a viewing of two short films exploring the historical relationships and support between Indigenous and Pan Asian communities in BC.

Aboriginal Lawyers Forum 8th Annual Retreat | Richmond

With the theme of *Promises, Prosperity and Justice: How the law can impact economic prosperity for Indigenous people*, lawyers gathered to learn from community leaders, politicians and lawyers.

12th Anniversary National Indigenous Peoples Day Reception | Richmond

This annual reception and auction celebrated National Indigenous Peoples Day and featured Butterflies in Spirit, a Vancouver-based dance group honouring Murdered and Missing Indigenous Women and Girls.

Law Firm Resources

Members and staff developed the Reconciliation Response Plan resource for law firms over the course of the year for launch in 2019-20. Karey Brooks, Claire Truesdale (of JFK Law) and Drew Mildon (of Woodward & Company) prepared and provided a 75-minute presentation to the Aboriginal Law-Vancouver section in November, which Karey adapted for a webinar.

Governance & Protocols

The Governance Review Task Force recommended CBABC establish two committees – an Indigenous Justice Advocacy Committee to focus on policy development and advocacy, and a Truth & Reconciliation Committee to focus on programs for members – and that we continue our practice of specifically including Indigenous lawyers on key committees (Government Relations, BarTalk and Advisory Committee to Judicial Council).

Advocacy

The Agenda for Justice Platform Update included restorative justice, Indigenous courts, and expansion of legal aid services for the benefit of Indigenous people.



Artwork by Tracey Metallic

Recognizing Our Peers

Each year, CBABC proudly honours excellence in BC's legal profession with awards that celebrate individual and industry excellence, outstanding achievements and community service.

President's Medal

Wayne Robertson, QC

Wayne Robertson, QC's extensive career included serving as Executive Director of the Law Foundation of BC, with the Legal Services Society and in private practice with Lindsay Kenney LLP. He has also been involved in a multitude of community boards and associations including the North Vancouver Recreation Commission, North Shore Multicultural Society, the Canadian Council for International Cooperation and the Canadian Bar Association.



Georges A. Goyer, QC Memorial Award for Distinguished Service

Terence E. La Liberté, QC

Terence E. La Liberté, QC embodies a spirit of generosity, true commitment to his profession and selfless dedication to the community. He is well-known for his unwavering dedication to clients, many of whom are Indigenous, mentally ill, suffering addiction or marginalized.



Innovative Workplace Award

Technical Safety BC

Technical Safety BC is a self-funded, not-for-profit organization that acts as a regulator, overseeing installation and operation of technical systems across the province.



Harry Rankin, QC Pro Bono Award

David Wotherspoon

2019 recipient David Wotherspoon is committed to representing people facing seemingly insurmountable odds – people in need of creative, experienced and dedicated counsel. Mr. Wotherspoon believes lawyers have a duty to assist society's most vulnerable people.



Equality & Diversity Award

Kamaljit Lehal

Since her call to the bar, 2018-19 recipient Kamaljit Lehal has worked tirelessly to end violence against women and has advocated for changes to laws and policies that compromise the safety of immigrant women. Her work includes speaking to the Canadian Association of Chiefs of Police and helping to create a pro bono clinic for the South Asian community. She also has contributed to CBABC's work on the Calls to Action from the Truth and Reconciliation Commission of Canada.



Student Awards

These scholarships are presented to law students who embody CBABC ideals at the University of British Columbia, the University of Victoria and Thompson Rivers University. These ideals encompass participation in activities supporting legal professionals and law students, promoting law reform and justice, promoting equality, and providing community service. Congratulations to the 2018-19 recipients:

Jasjit Parmar, TRU | Jacquie Miller, UVic | Cindy Chen, UBC

Section Awards

Debra Van Ginkel, QC Mentoring Award | Rita Andreone, QC

WLF Award of Excellence | Kasari Govender

ALF Special Contribution Award | Dr. Bruce McIvor

ALF Student Appreciation Awards

Kateri Koster, TRU | Veronica Martisius, UVic | Shawnee Monchalin, UBC

Public Service Programs

CBABC gratefully acknowledges the support of the Law Foundation of British Columbia for our public service programs.

Dial-A-Law & Lawyer Referral Services

Dial-A-Law, featuring over 125 scripts of publicly-available legal information topics, transferred to the People's Law School in February. In August, the Lawyer Referral Service, connecting over 25,000 British Columbians with lawyers each year, transferred to Access Pro Bono. Both transfers enable CBABC to focus its work on supporting members and naturally advance the mandates of the People's Law School and Access Pro Bono.

Law Week

Law Week 2019 provided the public with legal information through free public law classes, Dial-A-Lawyer Day and regional events in Victoria, Nanaimo, Kamloops, Penticton, Nelson, Terrace, North Vancouver and Vancouver. The high school public speaking competition, the Barry Sullivan Law Cup, brought 45 students from throughout BC to address the issue, "Should protesting ever be considered criminal?" Ananya Aravindan of Port Moody Secondary School won. Our Chief Justices and Judge hosted 60 high school and post-secondary students at an in-person forum, *Meet the Chiefs*.

REAL

The Rural Education and Access to Lawyers ("REAL") initiative placed six second-year law students in the communities of Hazelton, Masset, Fort St. John, Smithers, Revelstoke and Nelson. Since 2019, 113 students have been placed through REAL offering them a chance to experience practice and life in those areas before committing to articles. Approximately 50% of those students accepted articles following their placements and the overall percentage of early career lawyers in REAL communities increased by 10% between 2009 and 2017.



A Sustainable Organization

This past year saw the departure of three long-term staff members – Caroline Nevin, Executive Director; Jennifer Webber, Director of Member Services; and Bianca Bishop, Finance & Administration Assistant. Despite these departures, CBABC remained strong in membership numbers, financial stability, and delivering our programs and activities.

Members enjoyed a decrease in the membership fees, both at the national and branch level. CBABC received additional revenue from CBA for our contributions to the membership strategy. And Provincial Council reinvested the resulting surplus of \$256,880 into enhancements in member services, advocacy and volunteer support for the 2019-20 Fiscal Year.

The Governance Review Task Force led by Margaret Mereigh and Bill Veenstra, QC, co-ordinated consultations on the modernization of CBABC's governance rules and practices. New bylaws will be presented at the 2020 AGM include moving governance responsibility to the Board, retaining Provincial Council as a leadership, advisory and consultative body, and reducing the size of Provincial Council while retaining the diversity of representation based on geography, practice area and interest area.

Our final 2018-19 Membership was 7,221 – an increase of 2.1% over the prior membership year. Our market share among all practicing lawyers remains just under 50%, with over 63% share of the New Lawyer (years of call 1-3) market.

Members by the Numbers

7,221
Members

2.1%
Increase over
prior year

48.3%
Market share of BC
practicing lawyers

939
New Lawyers
(YOC 1-3)

CBABC Leadership

Executive Committee

Margaret Mereigh	President
Kenneth Armstrong	Vice President
Jennifer Brun	Secretary Treasurer
Bill Veenstra, QC	Past President
Aleem Bharmal, QC	Officer
Clare Jennings	Officer
Sandra Mandanici	Officer
Isabel Jackson	Aboriginal Lawyers Representative
Lauren Chu	Young Lawyers Representative
Tina Parbhakar	Equality & Diversity Representative

Committee Chairs

Zahra Jimale	Access to Justice
Julianne Lamb	Advisory to Judicial Council of BC
Jennifer Brun	Audit
Rose Keith	Automobile Insurance
Meghan Maddigan	Awards & Recognition
Brandon Hastings	BarTalk/Editorial Board
Susan Borsic, QC	Conference (BC 2019)
Lynett Jung, QC	
Louisa Winn	Court Services
Tina Parbhakar	Equality & Diversity
Kenneth Armstrong	Government Relations
Aachal Soll	Law Week (Regional)
Jessica Patterson	Law Week (Vancouver)
Denese Espeut-Post	Legal Business & Practice Issues
Sheena Mitchell	Legislation & Law Reform
Lynett Jung, QC	Professional Development
Myron Plett	REAL
Laura Berezan	Resolutions & Bylaws
Frederick Wynne	Sections Standing

Elected Representatives

Cariboo	Oliver Fleck Darlene Kavka Nicholas Maviglia
Kootenay	Jenny Ghilarducci Jamie Lalonde
Nanaimo	Grant Currie Menaka Giri Colleen Hay Esther Robson
Prince Rupert	Bryan Crampton Claire Ducluzeau
Vancouver	Fiona Begg Aleem Bharmal, QC Michelle Booker Karey Brooks Jennifer Brun Lauren Chu Baljinder Girn Diane Gradley Graham Hardy Lisa Helps Zahra Jimale Sandra Mandanici Heather Mathison Scott Morishita Karla Mukai Adam Munnings Suzette Narbonne Preston Parsons Gurminder Sandhu Frederick Wynne
Victoria	Kimberly Henders Miller Sarah Klinger Beatrice McCutcheon Drew Mildon Paul Pearson
Westminster	Jennifer Anderson Tina Dion, QC Brandon Hastings Duncan Magnus Daniel Moseley Greg Palm
Yale	Andrew Powell B. William Sundhu Cassidy Thomson S. Paul Varga

Section Chairs

Aboriginal Law Vancouver	Jeff Langlois Robin Phillips	Family Law - Victoria	Erin Shaw
Aboriginal Law Van Island	Sonya Pighin	Family Law Westminster	Celina Meghji
Aboriginal Lawyers Forum	Isabel Jackson	Freedom of Information & Privacy Law	Keri Bennett
Administrative Law	Shea Coulson Matthew Voell	General Practice, Solo & Small Firm Lower Mainland	Gwendoline Allison Linda Locke, QC
ADR Nanaimo	Stephen McPhee, QC	General Practice, Solo, & Small Firm Prince Rupert	Megan M. Olson
ADR Vancouver	Nicholas Davies William Holder	Health Law	Melissa Perry Daniel Reid
ADR Victoria	Aesha Faux	Human Rights Law	Aleem Bharmal, QC Stephanie Gutierrez
Air Law	Joe Fiorante, QC	Immigration Law	Meera Thakrar
Animal Law	Rebeka Breder	Insolvency Law	Sarah Nelligan Jef Poulsen
Appellate Advocacy	Thomas Posyniak Megan Street	Insurance Law	Scott Urquhart
Banking Law	Ryan Laity	Intellectual Property & Technology Law	Stephanie Melnychuk
Business Law	Daniel McElroy	International Law	Alexandra Mitretodis Kelsey Rose
CCCA BC	Allison Crane Margot Spence	Labour Law	Connor Levy Gurleen Sahota
Charities & Not-For-Profit Law	Kate Bake-Paterson Elizabeth Moxham	Legal Research	Gurminder Sandhu
Children's Law	J. Cherisse Friesen	Maritime Law	David Jarrett
Civil Litigation Okanagan	Jonathan Arkle	Municipal Law	Joseph Scafe Lynda Stokes
Civil Litigation	Kristin Gardner	Natural Resources Law	Jeremy Shelford
Tri-Cities/New Westminster	Thomas Spraggs	Pensions & Benefits Law	Megan Kaneen
Civil Litigation Vancouver	Cameron Wardell	Public Sector Lawyers	Mary French Navi Gill
Civil Litigation Vancouver Island	Marlisa Martin	Real Property Vancouver	Brett Horton Sarvi Veylan
Class Action Law	Chelsea Hermanson Naomi Kovak	Securities Law	Jessica Lewis
Commercial & Real Estate - Okanagan	Nancy Ling Martin Wales	Senior Lawyers	Gerald Lecovin, QC
Commercial & Real Estate Vancouver Island	Todd Ferguson	Social Justice	Aleem Bharmal, QC Rachel Roy
Constitutional Law/Civil Liberties	Leah Greathead Tyna Ann Mason	SOGIC	Lisa Nevens
Construction Law	Krista Johanson	Solicitors' General Practice Central Vancouver Island	Laura Berezan
Criminal Justice Vancouver	Tony Paisana	Taxation Law	S. Natasha (Kisilevsky) Reid
Criminal Justice Victoria	Clare Jennings Chantelle Sutton	Unbundled Legal Services	Zahra Jenab
Criminal Law Kamloops	Graham Kay	Wills & Trusts Okanagan	Keith Sabey
Criminal Law Nanaimo	Kelly Bradshaw Menaka Giri	Wills & Trusts Vancouver	Sandra Abley
Criminal Law Prince Rupert	Darryl Wightman	Wills & Trusts Victoria	David Ibbetson
Elder Law	Jaqua Page Barbara Buchanan, QC	Women Lawyers Forum	Daria Batkin
Employment Law	Valerie Dixon Michelle Quinn	WLF BC North	Nina Purewal
Environmental Law	Emily Chan	WLF Kamloops	Rachel LaGroix
Family Law Fraser Valley	David Hart Cristen Gleeson	WLF Vancouver Island	Karina Sacca
Family Law Kamloops	David Dundee	Young Lawyers Lower Mainland	T. Claire Haaf Ainsley Reimer
Family Law Nanaimo	Erin Leigh Brook	Young Lawyers Okanagan	Jill Bishop
Family Law Okanagan	F. Scott Murray	Young Lawyers Victoria	Samantha Rapoport
Family Law Vancouver	Angela Dunn Kimberley Santerre		

